

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

DIGITAL LICENSING INC.; ET AL.

Defendants.

DECLARATION

2:23-cv-00482

DECLARATION OF DELANEY JEAN WYATT

I, Delaney Jean Wyatt, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the Chief Operating Officer of Cavalier Courier & Process Service ("Cavalier"). I have worked in a management capacity since October 2021 and previously from July 2017 to August 2019. The United States Securities and Exchange Commission ("SEC") contracts with Cavalier to provide process service nationwide and has done so since September 2015. Cavalier accomplishes this task through various employees and subcontractors across the United States. I support Cavalier's performance under its contract with the SEC in various capacities.

2. On or about August 2, 2022, the SEC instructed Cavalier to serve James Franklin ("Franklin") with the below documents:

Summons & Complaint; Civil Cover Sheet with Attachments; Temporary Restraining Order and Orders: (1) Freezing Assets; (2) Requiring Accountings; (3) Prohibiting the Destruction of Documents; and (4) Granting Expedited Discovery; (5) Repatriating Assets; Plaintiff Securities and Exchange Commission's Ex Parte Application for Entry of Temporary Restraining Order and Orders : (1) Freezing Assets; (2) Requiring Accountings; (3) Prohibiting the Destruction of Documents; and (4) Granting Expedited Discovery; (5) Repatriating Assets; and (6) Order to Show Cause Re Preliminary Injunction and Memorandum in Support; Index of Exhibits; Exhibits 1-4; Rule 65(b)(1)(B) Attorney Certification; Motion to File Case Under Court Seal; [proposed] Order Sealing Case; Temporary Receivership Order; Plaintiff Securities and Exchange Commission's Ex Parte Application for Appointment of a Temporary Receiver as to Defendant Digital Licensing, Inc. and Order to Show Cause Re Appointment of A Permanent Receiver; and Memorandum in Support;

[proposed] Temporary Receivership Order and Order to Show Cause re Appointment of a Permanent Receiver; Preliminary Injunction and Orders (1) Freezing Assets; (2) Prohibiting the Destruction or Alteration of Documents; (3) Granting Expedited Discovery; (4) Requiring Accountings; and (5) Appointing a Permanent Receiver; Qualifications Letter; Plaintiff Securities and Exchange Commission's Expedited Written Discovery Requests with Exhibit

The SEC provided Cavalier with the following address: 14244 Barrymore Street, San Diego, CA, 92129 (“14244 Barrymore St”).

3. Cavalier attempted service at 14244 Barrymore St on August 2, 2023, and August 3, 2023. A female resident who identified herself as Ms. Graham stated that Franklin does not live here, nor does she know him.

4. Cavalier searched social media; proprietary, non-public databases; and other records to identify any other residential or business addresses for Franklin. Cavalier identified the following addresses as possible addresses for Franklin: 3510 Santoro Way, San Diego, CA, 92130 (“3510 Santoro Way”), 5348 Wild Blossom Terrace, San Diego, CA, 92121 (“5348 Wild Blossom Ter”), and 3525A Del Mar Heights Road, #163, San Diego, CA, 92130 (“3525A Del Mar Heights Rd”).

5. Cavalier attempted service at 3510 Santoro Way on August 3, 2023. The current residents identified themselves as the Palmer family and stated they purchased the home over a year ago. They stated that Franklin does not live here, nor do they know him.

6. Cavalier attempted service at 5348 Wild Blossom Ter on August 3, 2023. A female resident identified herself as Kimberly Franklin, but she stated that she does not know the defendant, Franklin.

7. Cavalier attempted service at 3525A Del Mar Heights Rd on August 4, 2023. This address is a UPS store. The clerk confirmed that Franklin is not the boxholder at #163, nor was Franklin found to be in any records for this UPS store.

8. Cavalier located possible phone numbers for Franklin as 720-771-0140 and 336-639-6492. There was no answer to calling and texting 720-771-0140. Calling 336-639-6492 only produced a busy signal.

9. Cavalier located a phone number for Nicole Scott, a possible associate of Franklin, as 858-729-8579. A female answered and stated that she is no longer in communication with Franklin before promptly ending the call.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 9, 2023
Coeur d'Alene, ID



Delaney Wyatt, COO
Cavalier Courier & Process Service
823 S. King Street, Suite C
Leesburg, VA 20175
(703) 431-7085